

# STONELEIGH ASSOCIATION

## POLICY RESOLUTION NO. 98-1

### (Establishment of Architectural and External Maintenance Standards)

WHEREAS, Article IV, Section 1 of the Association By-Laws empowers the Board of Directors to manage the affairs of the Association; and

WHEREAS, paragraph 16 of the Amended and Restated By-Laws requires all owners to maintain the exterior of their property in good repair and condition; and

WHEREAS, the Board of Directors deems it necessary and in the Association's best interests to establish architectural and external maintenance standards to ensure that members of the Association maintain their property in good condition.

NOW, THEREFORE, BE IT RESOLVED THAT the following architectural and property maintenance standards are hereby established by the Board of Directors:

#### 1. FENCES AND WALLS

- a. **Materials** - Fences and gates can only be Western Red Cedar, not pressure treated, excepting the posts which may be pressure treated. Western Red Cedar will be relatively knot free or with a *few tight* knots. Walls can only be brick that matches the house. Fences or walls will exist only in a property's back yard to separate yards and close off the back of the yard. The Stoneleigh Association Board of Directors must be contacted first before a brick wall is built, if one does not already exist.
- b. **Fence style and construction** - There are two approved types and these are attached to this resolution. The lattice or upper portion of the fence is interchangeable for either style.
- c. **Height** - All fences should generally be 5 ½ feet in height from ground to top of lattice portion of the fence. Variation due to terrain may require some variation in this standard, however the fence height should line up properly with that of all neighboring lots. The permission of the Board of Directors is required for any variation from 5 ½ feet. Following the height of a neighbor's fence is insufficient to establish compliance with this standard. Fence post height above the fence may not exceed 3 inches.
- d. **Clearance** - All fences must have 2 - 3 inches of clearance above ground and may not touch the ground. This is for style and to prevent premature rotting. A fine wire mesh or bricks can be installed, on the inside only, to close this gap.
- e. **Length**- A fence must be the length of the side and back property line. A slight variance, no more than 6 inches, is permitted to match neighboring fences or avoid obstructions such as utility cables, utility boxes or large rocks. Any variation beyond 6 inches requires permission of the Board of Directors. Panel lengths (the fence section between two posts) for side fence should not be greater than 7 feet for stability and to prevent sagging.
- f. **Appearance of and treatment of fence and gate** - The wood components of the fence and gate must not be stained or painted. A clear or natural cedar *tinted* wood sealer is permitted and strongly recommended to prolong the fence's life and appearance. Mold,

mildew, and moss must not grow on the fence or gate. Damaged, distorted, or rotted fence or gate pieces must be replaced as soon as this condition becomes apparent to the owner or the owner is notified by the Board of Directors.

- g. **Gate style and construction** - There is one approved type and a design is attached to this resolution. The top of the gate must be rounded. The top point of the gate is 6 inches higher than the top of the lattice. Gates in walls will have their top point equal to the height of the wall. Hinges, latches, and other hardware must be black.
  - i. **Height** - The gate should generally be 6 feet in height from ground to top. Variation due to terrain may require some variation in this standard, however the gate height should line up properly with that of all neighboring lots. The permission of the Board of Directors is required for any variation from 6 feet. Following the height of a neighbor's fence and gate is insufficient to establish compliance with this standard. Gate post height above the fence may not exceed 3 inches. (see 1.c.)
  - ii. **Clearance** - All gates must have 2-3 inches of clearance above ground and may not touch the ground.
  - iii. **Width** - All gates must be 38 inches to 40 inches in width. Variation requires prior approval of the Board of Directors.
- h. **Guidelines for Fences and Gate Installations** - In the event that homeowners hire a third party to perform installation and maintenance for Fences and Gates, certain precautions should be taken. First, owners should insist that contractors follow the specifications of the contract exactly and the contract should include the approved plans. Contractors should not be permitted to survey the community and copy another fence, as it may be in violation. For common side fences between two lots, the agreement should be structured for each side to get separate bills and contracts from fence contractors for each portion of the cost to avoid disputes over one party not paying as agreed.

## 2. EXTERIOR COLORS

- a. Colors are based upon what coordinates with a house's brick and does not duplicate a neighboring color (except for twin units). Further, the appearance of the whole row is considered so that individual units complement each other.
- b. Shutters and the front door must be the same color.
- c. Storm door must match either the front door or the trim.
- d. Twin units must be the same color and should be repainted at the same time.
- e. Existing color must be maintained unless a change is requested by the Board of Directors. An Owner may request a change by submitting the appropriate form.

**3. PAINT**

- a. Most of the original exterior paint in the community was oil based and any change from oil to latex must be done in accordance with industry standards for proper conversion.
- b. All paint must be gloss or semi-gloss exterior paint, not flat, and the colors may not be changed without prior approval from the Board of Directors.

**4. BRICK EXTERIOR**

- a. Any brick exterior may not be painted over by an Owner unless it is currently painted. If the brick exterior is currently painted, the paint must be maintained. A clear masonry sealer may be applied to prevent deterioration on the used brick homes.

**5. FRONT DOORS**

- a. The front door style is 4 paneled with small windows at the top. Any variations require prior approval from the Board of Directors.
- b. Synthetic replacements are acceptable for decorative moldings around the front door, as long as the existing style is maintained.

**6. STORM/SCREEN DOORS**

- a. Front storm/screen doors must be the "full view" style made with one piece glass and screen, and with maximum kick plate height of 12 inches. Only black colored screen material is permitted. Glass must be plain in style and void of decorations or etchings. Any variations from the plain glass require prior approval of the Board of Directors. Storm door color must match either the front door or the trim around the front door.
- b. Pre-existing old style storm/screen doors are permitted until a replacement is needed. Any new doors must conform to current standard. Quasi "full view" doors made in 2 pieces are not approved.
- c. Wrought iron security doors are not permitted.

**7. ROOFS**

- a. All roofs must be replaced when its condition becomes unsightly and shows clear signs of age, regardless of its functionality.
- b. Changes in shingle color requires prior approval of the Board of Directors.

**8. GUTTERS**

- a. All gutters and downspouts must match trim color.
- b. Any section of the gutter or downspouts which are visibly damaged or worn must be replaced within a reasonable time period after the appearance of the damage.

**9. WINDOWS**

- a. The style is double hung. Each sash must have a grill design or mullions that create an appearance of six panes in the sash. The exterior of the window sash and frame is considered trim. Colors must match existing trim color.
- b. Vinyl and Fiberglass replacement windows are allowed with prior approval of the Board of Directors. Window capping must match existing trim.
- c. Screen material must be black in color.
- d. Synthetic replacement material may be used for exterior trim around a window.
- e. Wrought iron security bars are permitted on basement windows only.

**10. SHUTTERS**

- a. All shutters must be wood or vinyl, double panel or slats, and must match the door color of the townhome.
- b. Any shutter visibly damaged or worn must be replaced within a reasonable time period after the appearance of the damage.

**11. FRONT STOOPS AND FRONT RAILINGS**

- a. All front stoops must be unpainted concrete. All front railings must be black wrought iron and consistent with the current style in the community.

**12. FRONT EXTERIOR LIGHT**

- a. The front exterior light on each townhouse is to be colonial style consistent with others in the community. The color must be black or brass.

**13. LEAD WALKS**

- a. The walk connecting the front stoop to the sidewalk or a court's walkway is the Association's responsibility for repair or replacement. The resident is responsible for maintaining the walk's condition and ensuring it is a safe passage from the sidewalk/walkway to the front stoop. Premature deterioration due to the use of salt or other corrosive chemicals by the Owner or the tenant will result in charges to the Owner for replacement.

**14. SHEDS**

- a. The height, including roof, of any shed must be less than the fence, or wall, not the fence posts. Any rusting, rotting or deteriorating sheds must be removed or replaced.

**15. EXTERIOR ADDITIONS**

- a. Decks, porches, or other exterior additions are not allowed.

**16. CLIMBING VEGETATION ON TOWNHOMES, FENCES, AND WALLS**

- a. Ivy or other climbing vegetation must not grow on a townhome, fence and wall.

**17. PARTY WALLS**

- a. Each wall which is built as part of the original construction of the dwellings upon the property and placed on the dividing line between lots or partly on one lot and partly on another shall constitute a party wall and to the extent not inconsistent with other document provisions the general rules regarding party walls and of liability for property damage due to negligent or willful acts or omissions shall apply thereto.
- b. The cost of reasonable repair and maintenance of a party wall shall be shared by the owners who make use of the wall in equal shares.
- c. Nothing shall be done by any Owner which impairs the structural integrity of any party wall or which diminishes the fire protection afforded by any party wall.
- d. No Owner shall use any party wall for any purpose which creates a hazard or nuisance for any other owner who makes use of the party wall.
- e. If a party wall is destroyed or damaged by fire or other casualty, any Owner who has used the wall may restore it and if the other owners thereafter make use of the wall, they shall contribute to the cost of restoration thereof in proportion to such use; without prejudice, however of the right of any such Owner to call for a larger contribution from the others under any rule of law regarding liability for negligent or willful acts or omissions.
- f. Notwithstanding any other provisions of this Documents, any Owner who by his negligent or willful act causes a party wall to be exposed to the elements shall bear the whole cost of furnishing the necessary protection against such elements.

**18. EXISTING EXCEPTIONS**

- a. Exceptions, recognized by the Board of Directors, exist in the Stoneleigh community because they were approved prior to the adoption of this resolution and are considered, therefore, as "grandfathered."
- b. Grandfathered exceptions must not be duplicated or imitated.
- c. Removal of a grandfathered exception voids said status which in turn may not be revived on the previously excepted property or elsewhere in the Stoneleigh community.